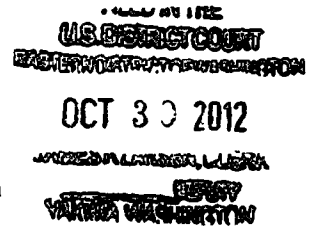


PROB 12C
(7/93)

Report Date: October 29, 2012

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jose Alberto Abundiz

Case Number: 2:06CR02159-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge.

Date of Original Sentence: 06/12/2008

Original Offense: Possession of a Firearm by Prohibited Person, 18 U.S.C. § 922(g)(1); Possession of an Unregistered Firearm, 26 U.S.C. § 5861(d)

Original Sentence: Prison - 57 Months
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Mary Katherine Dimke

Date Supervision Commenced: 5/6/2011

Defense Attorney: William A. Schuler

Date Supervision Expires: 5/5/2013

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance**1****Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On October 24, 2012, Mr. Abundiz was arrested by Union Gap police for possession of a controlled substance with intent to deliver, Yakima County Superior Court, case number 12-1-01634-3. An incident report has been requested but has not yet been received.

On October 25, 2012, the defendant appeared in court for a preliminary appearance and bail was set at \$25,000. On October 26, 2012, Mr. Abundiz posted bail and was released from custody. His next hearing is currently set for November 8, 2012.

Prob12C

Re: Abundiz, Jose Alberto

October 29, 2012

Page 2

- 2 **Standard Condition #8:** The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.

Supporting Evidence: On October 24, 2012, Mr. Abuniz frequented a residence where controlled substances are illegally sold, used, distributed, or administered.

On October 24, 2012, Union Gap police observed the defendant enter a residence located at McNair Avenue, Union Gap, Washington, which is known by law enforcement as a residence where controlled substances are illegally sold, used, distributed, or administered.

- 3 **Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: On October 24, 2012, Mr. Abuniz submitted a urine sample which tested presumptive positive for methamphetamine. When questioned about illegal drug use, he admitted to smoking methamphetamine from October 20, through October 24, 2012.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 29, 2012

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

10/30/12

Date